

**THE CITY OF PROVIDENCE**  
**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

---

# **RESOLUTION OF THE CITY COUNCIL**

**No.** 551

**Approved** November 23, 2005

**RESOLVED, DECREED AND ORDERED:**

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064772 dated June 20, 2005.

**VIZ:**

CROSS STREET, intersecting with Charles Street, and adjacent to West River Street, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-E-F-G-A), having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

(1) Petitioner shall pay the sum of Forty-five Thousand and Six Hundred Fifteen Dollars (\$45,615.00) in legal U.S. tender to the City of Providence.

(2) The petitioner shall convey a full sewer easement acceptable to City of Providence, Department of Public Works which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

(3) Petitioner shall grant an easement in favor of Narragansett Electric Company, permitting the retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the Petitioner that any such facilities need to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

(4) Petitioner shall grant an easement in favor of Verizon, permitting the retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it

IN CITY COUNCIL  
MAY 4 2005  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
Michael R. Clement CLERK  
ans

THE COMMITTEE ON  
Public Works  
Recommends  
Ann M. Steen  
8-16-05 CLERK Con 4  
9-14-05 P. Hug  
9-20-05 Con 4

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Wilson Resolution  
Ann M. Steen  
11-8-05 Clerk

From the clerks desk

be determined by the Petitioner that any such facilities need to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

(5) Petitioner shall grant an easement in favor of New England Gas Company, permitting the installation and maintenance of its facilities as may be needed to provide service to any and all properties abutting Cross Street, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the Petitioner that any such facilities need to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

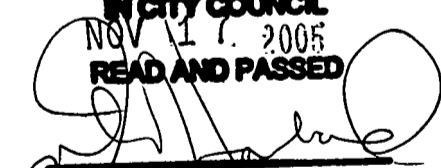
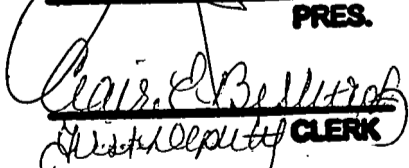
(6) Petitioner shall comply with all conditions contained herein, including recording this Resolution, not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

(7) Such other conditions as the Mayor or the Law Department shall see fit to impose.

And it is further

ORDERED, That the Traffic Engineer be and is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

**IN CITY COUNCIL**  
NOV 17 2005  
**READ AND PASSED**  
  
**PRES.**  
  
**CLERK**

**APPROVED**  
  
**MAYOR**

JOHN D. NICKELSON, PE  
Director



DAVID N. CICILLINE  
Mayor

**Department of Public Works**  
*"Building Pride in Providence"*

July 6, 2005

Honorable Terrence N. Hassett  
Chairman of the Public Works Committee  
Providence City Council – City Hall  
Providence, RI 02903

**RE: Proposed Abandonment of a Portion of Cross Street**

Dear Councilman Hassett:

This department has no objection to the abandonment of a portion of Cross Street in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept. – Engineering Office, Street Line Section, Plan No. 064772-Date: June 20, 2005. Area of Cross Street is designated as A-B-C-D-E-F-G-A, on the accompanying plan.

It is noted that there is a FULL SEWER EASEMENT required for Cross Street. Total area for this portion abandonment is 15,205 sq. ft. Lot numbers for aforementioned plan were taken from City of Providence Assessor's Plat#100. A list of abutting property owners is attached herewith for your approval.

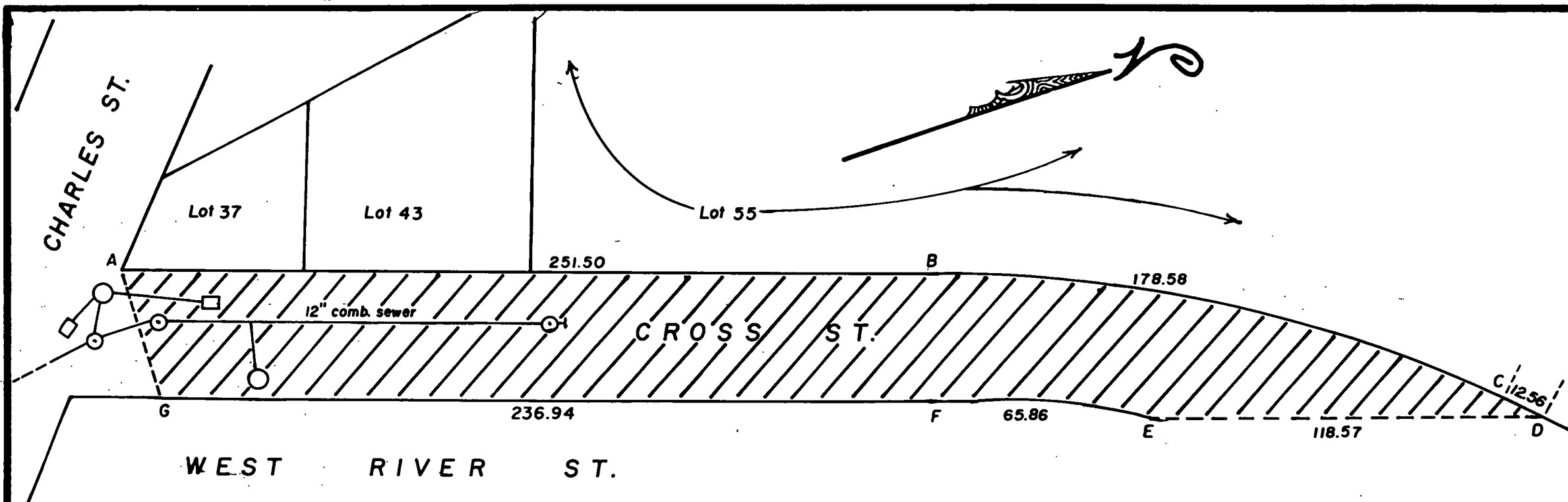
According to Informational Bulletin 2003.01 issued by Rhode Island State Board of Registration for Professional Land Surveyor, road abandonment constitutes a boundary change, and, as such, requires a Class 1 survey prepared by a Professional Land Surveyor, properly licensed by said board.

If we can further assist in this regard, please advise.

Very truly yours,

John D. Nickelson, PE  
Director

cc: M. Clement – City Clerk  
BB, GF, SZ-DPW  
A. Southgate, Esq. – Law Dept.  
T. Deller; W. Floriani - Planning



NOTES: Cross-hatched area (A-B-C-D-E-F-G-A) indicates proposed abandonment.  
 Full sewer easement required.  
 Total square footage = 15,205'

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed abandonment of a  
portion of Cross St.  
 Drawn by A. Zislader Checked by \_\_\_\_\_  
 Scale 1" = 40' Date 6-20-2005  
 Correct Jeanne G. Mearns Associate Engr.  
 Approved William G. Spadoni  
 CHIEF ENGINEER

PROVIDENCE, R. I.  
 P. E. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064772  
 Date June 20, 2005

Lot numbers taken from A.P. 100



Rhode Island

## Department of City Clerk

### MEMORANDUM

DATE: May 11, 2005

TO: John Nickelson, Director of Public Works

SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back to this office as soon as practical.

**PETITION FROM THOMAS C. MOSES, KELLEY, NICKSON, MORRIS, 170 WESTMINSTER STREET, SUITE 201, PROVIDENCE, RHODE ISLAND 02903, REQUESTING TO ABANDON CROSS STREET.**

  
SECOND DEPUTY City Clerk

**CITY OF PROVIDENCE**  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

*The undersigned respectfully petitions your honorable body*

**In re: Abandonment of Cross Street**

NOW COMES Petitioner, Endoscopy Associates, LLC ("Petitioner"), and hereby requests that the Honorable City Council approve this Petition to abandon the street known as Cross Street in Providence, Rhode Island. In support thereof, Petitioner states the following:

1. Petitioner is the owner of property located at 30 Cross Street, being further described as Assessor's Plat 100, Lot 55. Petitioner has received a building permit to build a medical building, which project will substantially improve the area.

2. Cross Street also fronts properties southwest of Petitioner's lot, which properties are described as Assessor's Plat 100, Lot 43 and Assessor's Plat 100, Lot 37. Such properties are owned by Exsil, Inc. and Narragansett Electric Company, respectively.

3. West River Street runs south of and along Cross Street, and the two streets are separated only by curbing; Cross Street provides access only to the Lots identified above. In that West River Street runs along the southeasterly line of Cross Street, under typical abandonment circumstances, the City would attain rights to that half of the abandoned street. However, Petitioner requests that the City waive its right to that half of Cross Street (by conveyance or appropriate other means), so that Petitioner and the other abutting owners to Cross Street continue to have frontage as required by zoning law.

4. This Petition meets all of the criteria and guidelines for approval of abandonment as described below:

(a) *A public interest is clearly demonstrated by this request.* Cross Street is presently a significant nuisance, as it is not appropriately maintained, there exists graffiti on the concrete barrier along Charles Street, and portions are used for dumping trash including used tires. Additionally, West River Street will provide convenient access to each of the affected lots, whether directly or by easement. Finally, the development of the medical building and surrounding area will substantially improve the area and improve the general welfare of the community.

(b) *There will be no negative impact on existing land use, future plans, zoning safety, health or welfare of the community by the proposed abandonment.* In fact, the abandonment will improve the existing land use, provide a safer environment to the surrounding area and will be a positive to the welfare of the community as described above.

(c) *All abutting land owners agree to the proposed abandonment.*  
We have attached letters from the owners of the affected lots to this Petition.

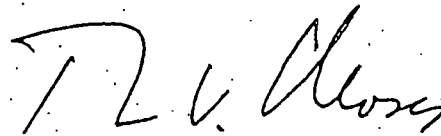
(d) *No physical or legal access will be denied to any land or property in surrounding areas by the proposed abandonment.* Easements will be provided to land owners fronting Cross Street.

(e) *No existing or future public services or facilities need to be protected, provided, or maintained within the right-of-way. An easement retention may be necessary to provide access to, maintain, or provide existing or future service or utility needs.* Petitioner will grant a permanent easement to its neighboring property owners.

(f) *The proposed or intended use of the street and/or adjacent properties must be shown on a petition or plan, and such use shall be in conformance with existing zoning and Comprehensive Plan Objectives. See attached plan.*

For all of the above reasons, Petitioner respectfully requests that the Honorable City Council abandon the street known as Cross Street and waive its right to that half of Cross Street it would be entitled to, with the conditions of easements as noted on the attached plan.

Endoscopy Associates, LLC  
By its attorneys,  
Moses Afonso Jackvony, Ltd.



Thomas V. Moses (#2763)  
Kelley Nickson Morris (#6025)  
170 Westminster Street, Suite 201  
Providence, RI 02903  
(401) 453-3600  
(401) 453-3604 facsimile

April 14, 2005

Petition to abandon Cross Street  
Endoscopy Associates, LLC  
Bank of Rhode Island  
Check # 15842  
\$75.00

DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

2005 APR 14 P 2:52

FILED

Michael R. Clement  
City Clerk

Clerk of Council



Claire E. Bestwick  
First Deputy

Anna M. Stetson  
Second Deputy

DEPARTMENT OF CITY CLERK  
CITY HALL

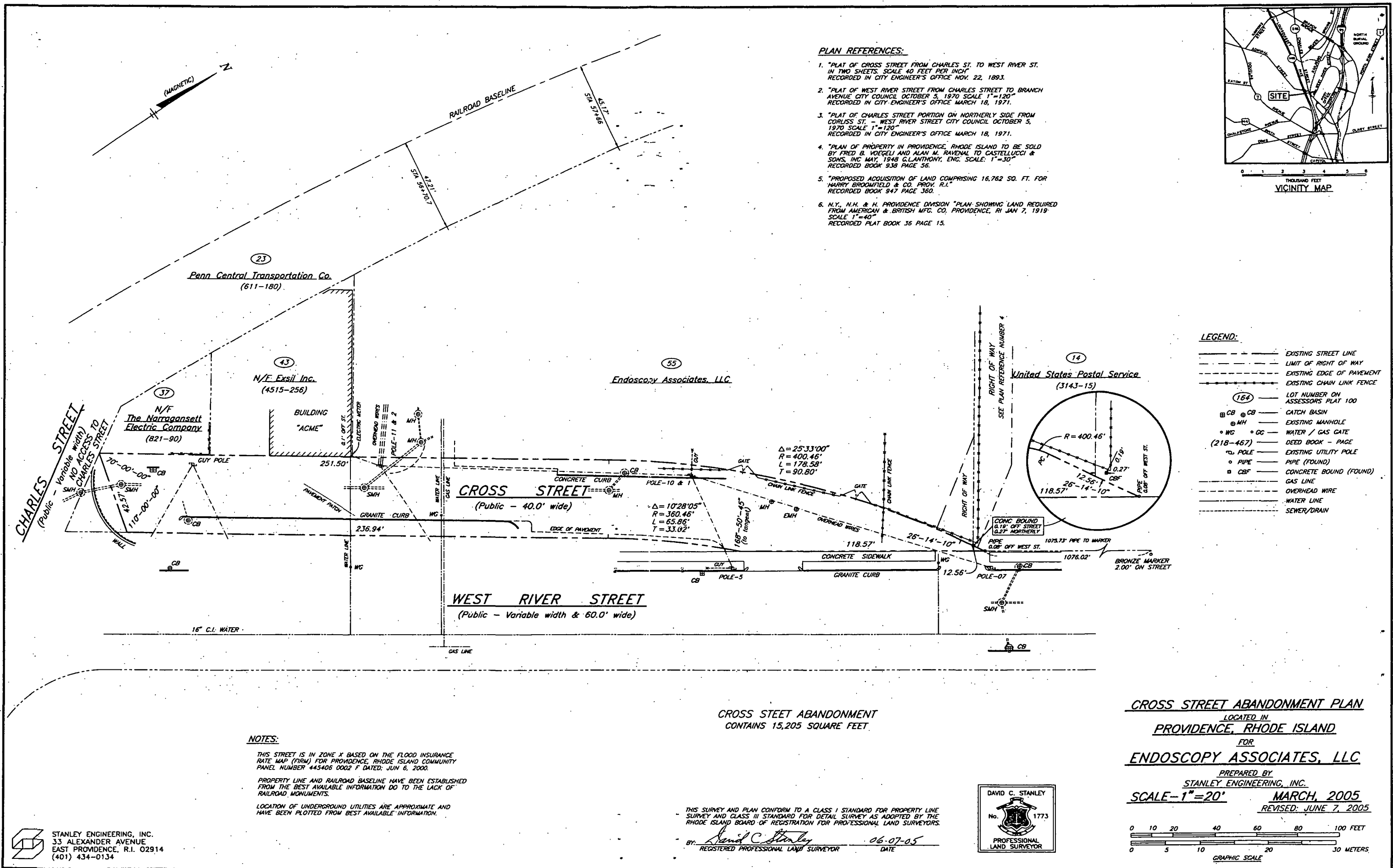
**RECEIPT**

Received of Nob Creek, LLC, Check No. 1232 from (The Washington Trust Company) in the amount of Forty-Five Thousand Six Hundred Fifteen and 00/100 (45,615.00) Dollars for payment for the abandonment of Cross Street.

A handwritten signature in cursive script, reading "Anna M. Stetson", is written over a horizontal line.

Anna M. Stetson  
Second Deputy City Clerk

Dated: November 15, 2005



# PLAN REFERENCES:

1. "PLAT OF CROSS STREET FROM CHARLES ST. TO WEST RIVER ST. IN TWO SHEETS, SCALE 40 FEET PER INCH, RECORDED IN CITY ENGINEER'S OFFICE NOV. 22, 1893.
2. "PLAT OF WEST RIVER STREET FROM CHARLES STREET TO BRANCH AVENUE CITY COUNCIL OCTOBER 5, 1970, SCALE 1"=120" RECORDED IN CITY ENGINEER'S OFFICE MARCH 18, 1971.
3. "PLAT OF CHARLES STREET PORTION ON NORTHERLY SIDE FROM CORLISS ST. - WEST RIVER STREET CITY COUNCIL OCTOBER 5, 1970, SCALE 1"=120" RECORDED IN CITY ENGINEER'S OFFICE MARCH 18, 1971.
4. "PLAN OF PROPERTY IN PROVIDENCE, RHODE ISLAND TO BE SOLD BY FRED B. VOEGELI AND ALAN M. RAVENAL TO CASTELLUCCI & SONS, INC. MAY 1948 C.L. ANTHONY, ENG. SCALE: 1"=30" RECORDED BOOK 938 PAGE 56.
5. "PROPOSED ACQUISITION OF LAND COMPRISING 16,762 SQ. FT. FOR HARRY BROOMFIELD & CO. PROV. R.I. RECORDED BOOK 947 PAGE 360.
6. N.Y., N.H. & H. PROVIDENCE DIVISION "PLAN SHOWING LAND REQUIRED FROM AMERICAN & BRITISH MFG. CO. PROVIDENCE, RI JAN 7, 1919, SCALE 1"=40" RECORDED PLAT BOOK 36 PAGE 15.

## LEGEND:

- EXISTING STREET LINE
- LIMIT OF RIGHT OF WAY
- EXISTING EDGE OF PAVEMENT
- EXISTING CHAIN LINK FENCE
- LOT NUMBER ON ASSESSORS PLAT 100
- CATCH BASIN
- EXISTING MANHOLE
- WATER / GAS GATE
- DEED BOOK - PAGE (218-467)
- EXISTING UTILITY POLE
- PIPE (FOUND)
- CONCRETE BOUND (FOUND)
- GAS LINE
- OVERHEAD WIRE
- SEWER/RAIN

## NOTES:

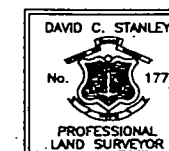
- THIS STREET IS IN ZONE X BASED ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR PROVIDENCE, RHODE ISLAND COMMUNITY PANEL NUMBER 445406 0002 F DATED: JUN 6, 2000.
- PROPERTY LINE AND RAILROAD BASELINE HAVE BEEN ESTABLISHED FROM THE BEST AVAILABLE INFORMATION DO TO THE LACK OF RAILROAD MONUMENTS.
- LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE AND HAVE BEEN PLOTTED FROM BEST AVAILABLE INFORMATION.

CROSS STREET ABANDONMENT  
CONTAINS 15,205 SQUARE FEET.

## CROSS STREET ABANDONMENT PLAN LOCATED IN PROVIDENCE, RHODE ISLAND FOR ENDOSCOPY ASSOCIATES, LLC

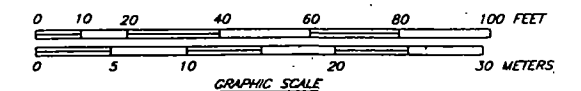
PREPARED BY  
STANLEY ENGINEERING, INC.

SCALE-1"=20' MARCH, 2005  
REVISED: JUNE 7, 2005



THIS SURVEY AND PLAN CONFORM TO A CLASS 1 STANDARD FOR PROPERTY LINE SURVEY AND CLASS III STANDARD FOR DETAIL SURVEY AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS.

BY: David C. Stanley 06-07-05  
REGISTERED PROFESSIONAL LAND SURVEYOR DATE



STANLEY ENGINEERING, INC.  
33 ALEXANDER AVENUE  
EAST PROVIDENCE, R.I. 02914  
(401) 434-0134

NOB CREEK, LLC  
P.O. BOX 6105  
PROVIDENCE, RI 02940

THE WASHINGTON TRUST COMPANY  
Member FDIC  
WESTERLY  
RHODE ISLAND, 02891

1232

57-85/115

11/15/2005

PAY TO THE ORDER OF Providence City Collector

\$ \*\*45,615.00

Forty-Five Thousand Six Hundred Fifteen and 00/100\*\*\*\*\*

DOLLARS

Providence City Collector

MEMO

*David Schreiner*  
AUTHORIZED SIGNATURE

MP SAFEGUARD SECURE

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈001232⑈ ⑆011500858⑆ 90898720⑈

NOB CREEK, LLC PROVIDENCE, RI 02940  
Providence City Collector

Date	Type	Reference
11/15/2005	Bill	

Original Amt.
45,615.00

Balance Due
45,615.00

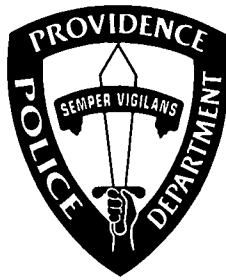
11/15/2005	Discount
Check Amount	

1232

Payment
45,615.00
45,615.00

Washington Trust Checkin

45,615.00



**Department of Public Safety, Police Department**  
*"Building Pride in Providence"*

May 23, 2005

To: Anna M. Stetson, Second Deputy City Clerk

From: Capt. James T. Nolette

Subject: Abandoning Cross St.

Dear Anna:

After viewing Cross St., I could find no reason why the City of Providence should not abandon this property.

Sincerely,

A handwritten signature in black ink, appearing to read "Capt. J. Nolette".

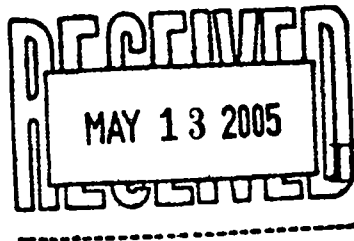
Capt. James T. Nolette



Rhode Island

Department of City Clerk

MEMORANDUM



*Attn Capt Gallette*  
RECEIVED  
OFFICE OF THE CHIEF  
PROVIDENCE POLICE  
25 MAY 12 PM 5:24

DATE: May 11, 2005

TO: Dean Esserman, Chief of Police

SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back to this office as soon as practical.

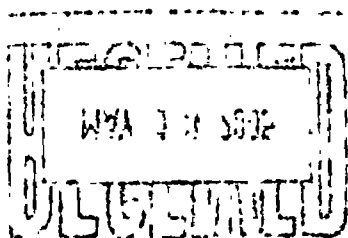
**PETITION FROM THOMAS C. MOSES, KELLEY, NICKSON, MORRIS, 170 WESTMINSTER STREET, SUITE 201, PROVIDENCE, RHODE ISLAND 02903, REQUESTING TO ABANDON CROSS STREET.**

*Anna M. Stetson*  
Second Deputy, City Clerk

**FILED**

2005 MAY 27 A 9:18

DEPT. OF CITY CLERK  
PROVIDENCE, R.I.



David N. Cicilline  
Mayor

David D. Costa  
Chief Of Department



George S. Farrell  
Fire Marshal

George D. Calise  
Deputy Marshal

Providence Fire Prevention Division  
***"Building Pride In Providence"***

June 7, 2005

Ms. Anna M Stetson, Second Deputy City Clerk  
City Hall Department of City Clerk  
City of Providence 02903

Re: The abandonment of Cross Street.

Dear Ms. Stetson:

The Providence Fire Department has no objection to the abandonment of Cross Street in the City of Providence under the 4 conditions presented to the City Council by Endoscopy Associates LLC and it's attorneys dated April 14, 2005.

Yours truly

Lieutenant Richard A. Silva  
Assistant Deputy State Fire Marshal

Cc: Marshal George S. Farrell  
Acting Captain Anthony DI Giulio

ANDREW K. MOFFIT  
*Chairman*  
JOSEPH D. CATALDI  
*Vice Chairman*  
ALEXANDER D. PRIGNANO  
*Ex-Officio*  
CARISSA R. RICHARD  
*Secretary*  
FERNANDO S. CUNHA, ESQ.  
*Legal Advisor*



DAVID N. CICILLINE  
*Mayor*  
BOYCE SPINELLI  
*Acting General Manager*  
JOSEPH DE LUCA  
*City Councilman*  
PATRICK K. BUTLER  
*City Councilman*  
ANNE T. QUINTERNO  
*Member*  
EVERETT BIANCO  
*Member*

September 19, 2005

Councilman Terrence M. Hassett, Chairman  
Committee on Public Works  
City Hall  
25 Dorrance Street  
Providence, RI 02903

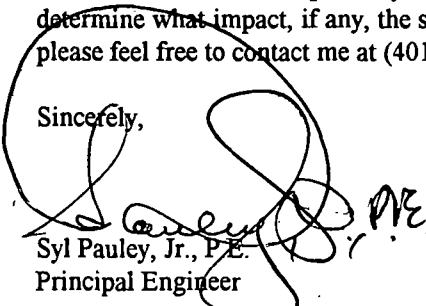
SUBJECT: Petition for Street Abandonment  
Cross Street  
Providence, Rhode Island

Dear Councilman Hassett:

The referenced Petition to the City Council has not been fully reviewed at this time because the Petitioner has not remitted the required Street Abandonment Review Fee of \$150 to Providence Water. Upon receipt of the fee the review will be completed.

In the meantime, it is respectfully requested that this Petition not be acted upon so that Providence Water can fully determine what impact, if any, the street abandonment will have upon the water system. If you have any questions, please feel free to contact me at (401) 521-6300 EXT 7241.

Sincerely,

  
Syl Pauley, Jr., P.E.  
Principal Engineer

SP/s

cc: P. Gadoury, P.E.  
M. Clement, City Clerk  
File

ABNLTR98.WPD

[WWW.PROVWATER.COM](http://WWW.PROVWATER.COM)

552 ACADEMY AVENUE • PROVIDENCE, RHODE ISLAND • 02908 • (401) 521-6300 • FAX (401) 331-5081 • TDD (401) 751-0203

ANDREW K. MOFFIT  
*Chairman*  
JOSEPH D. CATALDI  
*Vice Chairman*  
ALEXANDER D. PRIGNANO  
*Ex-Officio*  
CARISSA R. RICHARD  
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JOSEPH DE LUCA  
*City Councilman*  
PATRICK K. BUTLER  
*City Councilman*  
ANNE T. QUINTERNO  
*Member*  
EVERETT BIANCO  
*Member*

November 2, 2005

Councilman Terrence M. Hassett, Chairman  
Committee on Public Works  
City Hall  
25 Dorrance Street  
Providence, RI 02903

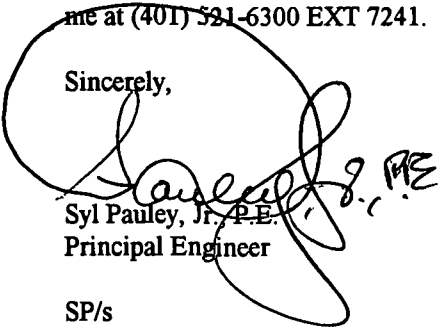
SUBJECT: Petition for Street Abandonment  
Cross Street  
Providence, RI

Dear Councilman Hassett:

The referenced Petition to the City Council has been reviewed for any impact this action might have on the Providence Water (PW) water distribution system. Our records indicate that there were several water services located along the westerly boundary of the subject street, however, they are presently listed as "closed" and, therefore, inactive. When the water services were active they were connected to a water main located on the east side of West River Street.

Based upon our review, PW does not oppose this abandonment. If you have any questions, please feel free to contact me at (401) 521-6300 EXT 7241.

Sincerely,



Syl Pauley, Jr., P.E.  
Principal Engineer

SP/s

cc: P. Gadoury, P.E.  
M. Clement, City Clerk  
File

ABNLTR98a.WPD

[WWW.PROVWATER.COM](http://WWW.PROVWATER.COM)

552 ACADEMY AVENUE • PROVIDENCE, RHODE ISLAND • 02908 • (401) 521-6300 • FAX (401) 331-5081 • TDD (401) 751-0203



## Department of Public Parks

*"Building Pride In Providence"*

July 22, 2005

Anna M. Stetson, Second Deputy City Clerk  
Department of City Clerk  
City of Providence  
City Hall  
Providence, RI

RE: Abandonment of Cross St.

The Department of Public Parks has no objection to the proposed abandonment of Cross Street.

Sincerely Yours

A handwritten signature in black ink, appearing to read "John A. Izzo".

John A. Izzo

Supervisor of Engineering & Planning

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 20, 2005

TO: Alix Ogden, Superintendent of Parks

SUBJECT: **COMMITTEE ON PUBLIC WORKS**


CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

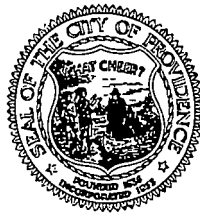
Please report back to this office as soon as practical.

**SECOND NOTICE**

**PETITION FROM THOMAS C. MOSES,  
KELLEY, NICKSON, MORRIS, 170  
WESTMINSTER STREET, SUITE 201,  
PROVIDENCE, RHODE ISLAND 02903,  
REQUESTING TO ABANDON CROSS  
STREET.**

  
SECOND DEPUTY City Clerk

JOHN D. NICKELSON, P. E.  
Director



DAVID N. CICILLINE  
Mayor

## Department of Public Works

Traffic Engineering Division  
*"Building Pride in Providence"*

# MEMORANDUM

**TO:** Councilman Terrance M. Hassett, Chairman, Committee on Public Work

**FROM:** E. Bernard Lebby, Traffic Engineer *EL*

**CC:** John D. Nickelson, PE, Director of DPW  
Thomas Deller, PE, Director of Planning  
Anna Stetson, Office of the City Clerk

**DATE:** August 16, 2005

**SUBJECT:** Petition from Thomas C. Moses, Kelley, Nickson, Morris, 170  
Westminster Street, Suite 201, Providence, Rhode Island 02903,  
requesting to abandon Cross Street.

---

The office of Traffic Engineering has reviewed this request and approve of the decision to abandon Cross Street.



**ANDOLFO APPRAISAL ASSOCIATES, INC.**

**REAL ESTATE APPRAISERS AND CONSULTANTS  
THE BUSH BUILDING**

**216 WEYBOSSET STREET • PROVIDENCE • RHODE ISLAND 02903  
(401) 273-8989 • FAX (401) 273-2510**

July 26, 2005

Mr. John Gelati  
Tax Assessor  
City of Providence  
City Hall  
Providence, Rhode Island 02903

Re: Proposed Abandonment of Cross Street

Dear Mr. Gelati:

Pursuant to your request, we have personally inspected the real estate located on Cross Street, otherwise designated as a full abandonment of Cross Street on Assessor's Plat 100. The subject is parallel with West River Street in the West River Industrial Park section of the city.

The proposed abandonment contains 15,205 square feet. The area in general measures 20 feet by 112 feet in length along the center line of the street. The City's Department of Public Works has no objection to this request; however, they are requiring a Class 1 survey for recording. The parcel is zoned M-1.

We have taken into account a number of factors in arriving at the fair market value of the site. The petitioner will gain partial use of the site and there will be easements required by the City of Providence Department of Public Works, most notably that of sewer, water, and other public utilities.

The highest and best use of the parcel would be for either commercial/industrial purposes given its location within the West River Industrial Park and its proximity to the Charles Street commercial corridor and the downtown commercial district. The petitioner will have partial use of the site given the requirement of the public utility easements. As a result, use of the site would be reduced to parking, access, or landscaping. As such, site value should reflect these limitations to commercial/industrial use.

ANDOLFO APPRAISAL ASSOCIATES, INC.

Mr. John Gelati

Page 2

July 26, 2005

Based upon an analysis of comparable land sales as contained within the office files of Andolfo Appraisal Associates, Inc., as well as reviewing the most recent tax assessment revaluations, a fee value of \$12.00 per square foot is hereby estimated.

Therefore, 15,205 square feet x \$12.00 per square foot = \$182,460. The fee value with full sewer, gas, and water easements is then reduced by 50% to reflect the site's anticipated restricted use and utility.

As such, 15,205 square feet x \$12.00 per square foot x .50 = \$91,230 indicated value.

Respectfully submitted,

ANDOLFO APPRAISAL ASSOCIATES, INC.

*William G. Floriani (fao)*

William G. Floriani

Certified Residential Appraiser

*Thomas S. Andolfo, MAI*

Thomas S. Andolfo, MAI

Certified General Appraiser

WGF:TSA/fad



## Providence City Plan Commission

DAVID N. CICILLINE  
Mayor

July 6, 2005

Honorable Terrence M. Hassett, Chair  
Committee on Public Works  
City Hall  
Providence, RI 02903

Attn: Anna Stetson, Second Deputy City Clerk

Re: CPC REFERRAL NO. 3243: Proposed Abandonment of Cross Street

Dear Councilman Hassett:

The City Plan Commission at its regular meeting on Tuesday, June 21, 2005 reviewed and evaluated the request of the Committee on Public Works that the Commission review and make a recommendation regarding the proposed abandonment of Cross Street, as petitioned by Endoscopy Associates, LLC.

The Commission made the following findings of fact as required by the *City Plan Commission Handbook* Policy No. 1: "Criteria and Guidelines for Approval of Street, Highway and Rights-of-way Abandonment":

1. *A public interest has to be clearly demonstrated. A public interest is defined as one or more of the following: public health and safety, adequate provision of transportation, general improvement of traffic patterns and/or circulation, convenient access to properties, avoidance of a nuisance, significant economic development, preservation of a historical or cultural feature, and improvement of the general welfare of the community.*

Cross Street is a dead-end street that runs parallel to West River Street. At the present time the street is underutilized and has become a dumping ground for trash. The abandonment of the street is in the public interest as it will be improved by the development of the medical building.

2. *No negative impact is evident on existing land uses, future plans, zoning, safety, health or welfare of the community by the proposed abandonment.*

No negative impacts from this abandonment are anticipated.

3. *All abutting landowners agree to the proposed abandonment.*

The abutting land owners are the Narragansett Electric Company (2 Cross Street), Exsil, Inc. (10 Cross Street) and the City of Providence (West River Street). In the petition, the petitioner has requested that the City waive its right to half of Cross Street. The petition also states that the petitioners have letters from the owners of the affected lots regarding the abandonment. The abutters would have to agree to the abandonment.

4. *No physical or legal access will be denied to any land or property in surrounding areas by the proposed abandonment.*

Access to two properties will be affected. The petitioner has agreed to provide easements to the land owners fronting Cross Street.

5. *No existing or future public services or facilities need to be protected, provided, or maintained within the right-of-way. An easement retention may be necessary to provide access to, maintain, or provide existing or future service or utility needs.*

It is not known whether public services or facilities need to be protected, provided, or maintained within the rights-of-way. The petitioner would need to grant easements if necessary.

6. *The proposed or intended use of the street and/or adjacent properties must be shown on a petition or plan, and such use shall be in conformance with existing zoning and Comprehensive Plan Objectives.*

A petition and plan have been provided. This proposal is consistent with the Zoning Ordinance and Comprehensive Plan.

The Commission voted to recommend to the Committee on Public Works that the petition for the abandonment of Cross Street be approved subject to the petitioner granting any easements that are necessary.

Sincerely,



Christopher J. Ise  
Administrative Officer

cc: Thomas V. Moses, Esq. for the Petitioner

# Narragansett Electric

A National Grid Company



May 27, 2005

Anna M. Stetson  
City Clerk's Office  
Providence City Hall  
Providence, RI 02903

Re: Petition to Abandon a portion of Cross Street

Dear Ms. Stetson:

Please be advised that after review, it has been determined that Narragansett Electric Company (NECO) has overhead equipment in the area proposed for abandonment.

Therefore, NECO has no objection to the abandonment provided we are granted an easement for said equipment.

Please call me if you have any questions.

Very truly yours,

Mindy C. Montecalvo  
Property Rights Specialist  
(401) 784-7512  
(401) 784-7316 (fax)

Right Of Way



May 19, 2005

85 High Street  
Pawtucket, RI 02860

Phone 401 727-9555  
Fax 401 725-7680

Anna Stetson  
2<sup>nd</sup> Deputy/City Clerk  
25 Dorrance Street  
Providence, Rhode Island 02903

Attn: Ms. Anna Stetson

RE: PETITION TO ABANDON A PORTION OF CROSS STREET

Upon investigation by our in house Engineer-Craig Richards it has been determined that Verizon has aerial facilities in the portion of Cross Street to be abandoned.

These facilities include poles and wires with a pole mounted equipment box as shown on attached sketch that provides service to the surrounding area.

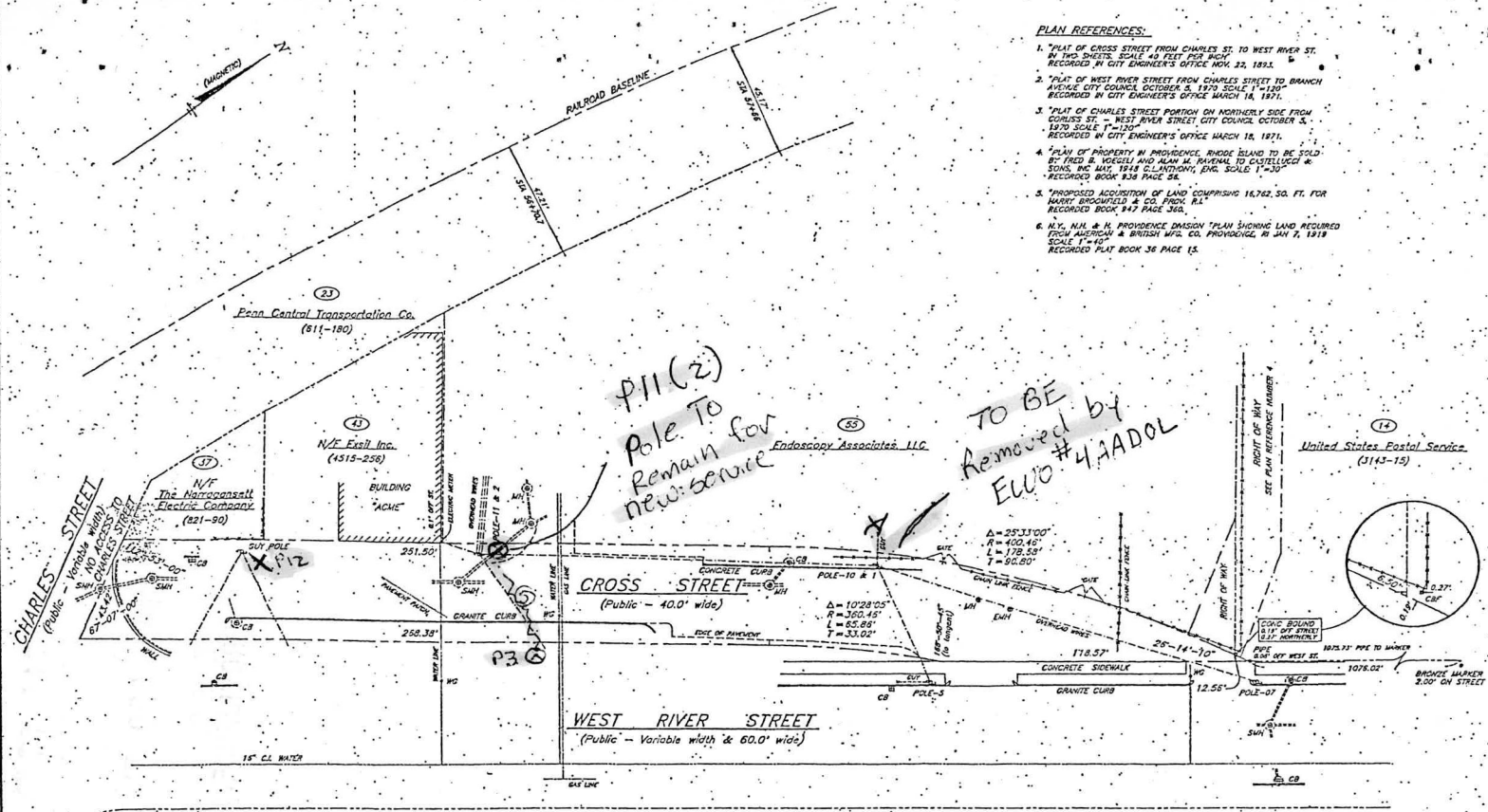
Verizon will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement to Verizon, which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities.

If it is decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation.

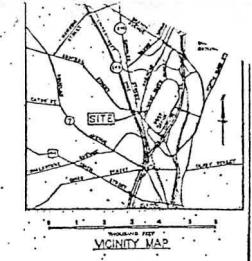
Very truly yours,

A handwritten signature in cursive script that reads "Mary C. Hanley".

Mary C. Hanley  
Manager - Right of Way  
401-727-9555



- PLAN REFERENCES:**
1. "PLAT OF CROSS STREET FROM CHARLES ST. TO WEST RIVER ST. IN TWO SHEETS, SCALE 40 FEET PER INCH, RECORDED IN CITY ENGINEER'S OFFICE BOOK 22, 1882."
  2. "PLAT OF WEST RIVER STREET FROM CHARLES STREET TO BRANCH AVENUE CITY COUNCIL OCTOBER 5, 1970 SCALE 1"=100" RECORDED IN CITY ENGINEER'S OFFICE MARCH 18, 1971."
  3. "PLAT OF CHARLES STREET PORTION ON NORTHERLY SIDE FROM CORLIS ST. - WEST RIVER STREET CITY COUNCIL OCTOBER 5, 1970 SCALE 1"=100" RECORDED IN CITY ENGINEER'S OFFICE MARCH 18, 1971."
  4. "PLAN OF PROPERTY IN PROVIDENCE, RHODE ISLAND TO BE SOLD BY FRED B. ROGELI AND ALAN W. RIVINGTON TO DISTRICT OF R. SONS, INC. MAY, 1914 CLINTON, ENG. SCALE 1"=40" RECORDED BOOK 838 PAGE 56."
  5. "PROPOSED ACQUISITION OF LAND COMPRISING 16,762 SQ. FT. FOR HARRY BROOKFIELD & CO. FROM R.I. RECORDED BOOK 847 PAGE 368."
  6. "N.Y. N.H. & H. PROVIDENCE DIVISION 'PLAN SHOWING LAND REQUIRED FROM AUDUBON & BRITISH WIL. CO. PROVIDENCE, RI JAN 7, 1918 SCALE 1"=40" RECORDED PLAT BOOK 36 PAGE 15."



- LEGEND:**
- EXISTING STREET LINE
  - LIMIT OF RIGHT OF WAY
  - EXISTING EDGE OF PAVEMENT
  - EXISTING CHAIN LINK FENCE
  - LOT NUMBER ON ADJOINING PLAT 100
  - CB - CB - GATE BASIN
  - WH - WH - EXISTING MANHOLE
  - W - W - WATER / GAS GATE
  - GG - GG - DEED BOOK - PAGE
  - 218-457 - EXISTING UTILITY POLE
  - POLE - POLE - PIPE (FOUND)
  - CBF - CBF - CONCRETE FOUND (FOUND)
  - GAS LINE
  - OVERHEAD WIRE
  - WATER LINE
  - SEWER/CHAM

**NOTES:**

THIS STREET IS IN ZONE X BASED ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR PROVIDENCE, RHODE ISLAND COMMUNITY PANEL NUMBER 48002 P DATED JULY 6, 2005.

PROPERTY LINE AND RAILROAD BASELINE HAVE BEEN ESTABLISHED FROM THE BEST AVAILABLE INFORMATION DUE TO THE LACK OF RAILROAD MOVEMENTS.

LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE AND HAVE BEEN PLOTTED FROM BEST AVAILABLE INFORMATION.

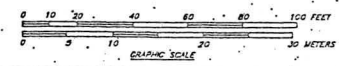
**CROSS STREET ABANDONMENT**  
CONTAINS 15,834 SQUARE FEET

**CROSS STREET ABANDONMENT PLAN**  
LOCATED IN  
**PROVIDENCE, RHODE ISLAND**  
FOR  
**ENDOSCOPY ASSOCIATES, LLC**  
PREPARED BY  
**STANLEY ENGINEERING, INC.**  
SCALE - 1"=20' **MARCH, 2005**

**STANLEY ENGINEERING, INC.**  
33 ALEXANDER AVENUE  
EAST PROVIDENCE, R.I. 02914  
(401) 434-0134

THIS SURVEY AND PLAN CONFORM TO A CLASS I STANDARD FOR PROPERTY LINE SURVEY AND CLASS II STANDARD FOR DETAIL SURVEY AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS.

*David C. Stanley* 03-31-05  
REGISTERED PROFESSIONAL LAND SURVEYOR DATE



**FILED**

2005 MAY 20 P 2: 1<sup>c</sup>

DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

6/14/2005



Councilman Terrence M. Hassett  
Chairman  
Committee on Public Works  
City of Providence  
City Hall  
Providence, RI 02903

Re: Request to Abandon Cross St.

Dear Councilman Hassett:

New England Gas Company has no objection to the proposed abandonment of Cross Street. However, we request that we be granted an easement to install and maintain gas facilities as needed within the area in question so that we may provide service to any and all properties that abut Cross St.

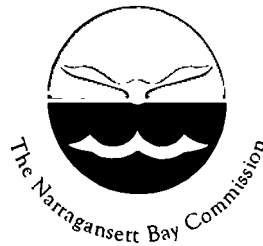
If you have any question please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Gavula". The signature is fluid and cursive, with a large initial 'T'.

Thomas Gavula  
Manager – GIS, Records, Drafting & Cathodic Protection

<http://www.narababay.com>



Paul Pinault, P.E.  
Executive Director

John Zuba  
Project Coordinator

*a clean bay today a clear bay today a clean bay today a clean ba; today a clean bay today a clean bay today a clean bay today a clean bay today a clean bay today*

**MOSES • AFONSO • JACKVONY**  
— LTD —  
• COUNSELORS AT LAW •

*Kelley Nickson Morris*  
*kmorris@mosesafonso.com*

November 2, 2005

via facsimile (401) 464-8721  
Phil Pauley  
Providence Water Supply Board  
552 Academy Avenue  
Providence, Rhode Island 02908

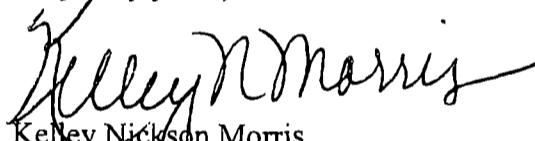
**Re:    *Petition to Abandon a Portion of Cross Street  
Review Fee***

Dear Mr. Pauley:

Enclosed is a copy of my letter to the Providence Water Supply Board dated August 5, 2005, our Check No.16314 in the amount of \$150.00, and the redacted bank statement showing that our check was deposited on August 11, 2005. I understand that you will forward your comments to Anna Stetson, clerk to the City Council's Public Works Committee before the hearing scheduled tomorrow evening.

I appreciate your prompt attention to this matter.

Very truly yours,

  
Kelley Nickson Morris

enclosures

cc:    Anna Stetson (via facsimile)  
G:\DATA\WPDATA\Gastroenterology Assoc\Providence Water 11.02.05.doc

**MOSES • AFONSO • JACKVONY**  
LTD  
• COUNSELORS AT LAW •

*Kelley N. Morris*  
*kmorris@mosesafonso.com*

August 5, 2005

Providence Water  
552 Academy Avenue  
Providence, Rhode Island 02908

*Re: Petition to Abandon a Portion of Cross Street*

Dear Sir or Madam:

I am in receipt of your letter dated August 1, 2005. Enclosed is the fee in the amount of One Hundred Fifty Dollars (\$150.00) made payable to City Collector, Providence Water to review our request to abandon a portion of Cross Street.

If you have any questions, please call me.

Very truly yours,

*Kelley N. Morris*  
Kelley N. Morris

KNM/gbs  
Enclosure  
cc: Gastroenterology Associates, Inc.

G:\DATA\WPDATA\Gastroenterology Assoc\Providence Water 8.3.05.doc

ANDREW K. MOFFIT  
*Chairman*

JOSEPH D. CATALDI  
*Vice Chairman*

ALEXANDER D. PRIGNANO  
*Ex-Officio*

CARISSA R. RICHARD  
*Secretary*

FERNANDO S. CUNHA, ESQ  
*Legal Advisor*



DAVID N. CICILLINE  
*Mayor*

BOYCE SPINELLI  
*Acting Chief Engineer & General Manager*

JOSEPH DE LUCA  
*City Councilman*

PATRICK K. BUTLER  
*City Councilman*

ANNE T. QUINTERNO  
*Member*

EVERETT BIANCO  
*Member*

August 1, 2005

Mr. Thomas C. Moses  
Kelley, Nickson, Morris  
170 Westminster Street  
Suite 201  
Providence, RI 02903

Subject: Petition to abandoned a portion of Cross Street, Prov., RI

Dear Mr. Moses:

We have received a copy of a Petition to the City Council for the abandonment for the above referenced street from the City of Providence Clerk. It is the policy of Providence Water to collect a fee, as authorized by the R.I. Public Utilities Commission, to review this type of request. Please forward your check in the amount of \$150.00, made payable to the "CITY COLLECTOR, PROVIDENCE WATER", at your earliest convenience. **Our review will commence as soon as we receive your payment.**

If you have any questions, please do not hesitate to contact me at (401) 521-6300 ext. 7262

Very Truly Yours,

**PROVIDENCE WATER SUPPLY BOARD**

A handwritten signature in cursive script that reads "Jacqueline Brosco".

By: Jacqueline Brosco  
Records Section

cc: P. Gadoury, PE  
File

MOSES AFONSO JACKVONY, LTD.,  
170 WESTMINSTER STREET, SUITE 201  
PROVIDENCE, RI 02903-2108

BANK RHODE ISLAND  
PROVIDENCE, RI 02903  
57-168/115

16314

8/4/2005

42-2003 INUIT INC. # 571 1-800-433-2010

PAY TO THE  
ORDER OF

City Collector, Providence Water

\$ \*\*150.00

One Hundred Fifty and 00/100\*\*\*\*\*DOLLARS

City Collector, Providence Water  
552 Academy Avenue  
Providence, RI 02908

MEMO Cross Street, Prov., RI

016314

0011501682

042001909

MOSES AFONSO JACKVONY, LTD.

City Collector, Providence Water  
4005 - Recoverable Cost

3980 Gastroenterology Assoc. Cross St.

8/4/2005

16314

150.00

Bank RI Checking

Cross Street, Prov., RI

150.00

11/02/2005 16:40 FAX 401 453 3604

MOSES AFONSO JACKVONY

005/006



P.O. BOX 9488 • PROVIDENCE, RI 02940-9488

CUSTOMER SERVICE (401) 477-1000 OR TOLL FREE (866) 4-BANKRI

24-HOUR AUTOMATED INFO LINE (401) 477-1100

bankri.com

ACCOUNT NUMBER: [REDACTED]

PAGE: 10 OF 16

STATEMENT PERIOD:

FROM 08/01/05 THRU 08/31/05

MOSES AFONSO JACKVONY, LTD. 100 WESTMINSTER STREET, SUITE 201 PROVIDENCE, RI 02903-2103		BANK RHODE ISLAND PROVIDENCE, RI 02903 8/11/05	16314
PAY TO THE ORDER OF City Collector, Providence Water		\$ 150.00	
Use Horizontal (City and State) MICR line		MICR LINE	
City Collector, Providence Water 332 Assembly Avenue Providence, RI 02908		8/11/05	
BRANCH City Street, Providence, RI		MICR LINE	
MO 16314 40115016821 04 20014091		0000015000	

08/11/05

CHK# 16314

\$ 150.00

EQUAL HOUSING LENDER

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE


**THIS IS TO CERTIFY**, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

**PETITION TO ABANDON CROSS STREET**

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
100	37	Narragansett Electric Company 25 Research Drive Westborough, MA 01582
100	43	Exsil Inc. 15 Clarkson Street Providence, RI 02908
100	55	NOB Creek, LLC 1 Randall Square Providence, RI 02904

**PETITIONER**

Thomas V. Moses  
Kelly, Nickson, Morris  
170 Westminster Street  
Suite 201  
Providence, RI 02903

 Sept. 1, 05  
Vincent J. Berarducci  
City Sergeant

\_\_\_\_\_  
Councilwoman Carol A. Romano  
Ward 4

# PROVIDENCE CITY CLERK

04-14-2005

NO

ABANDON

75.00

SUBTL

75.00

TOTAL

75.00

CHECK

75.00

CHANGE

0.00

8738 14:57PM

**CITY OF PROVIDENCE**  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

*The undersigned respectfully petitions your honorable body*

**In re: Abandonment of Cross Street**

NOW COMES Petitioner, Endoscopy Associates, LLC ("Petitioner"), and hereby requests that the Honorable City Council approve this Petition to abandon the street known as Cross Street in Providence, Rhode Island. In support thereof, Petitioner states the following:

1. Petitioner is the owner of property located at 30 Cross Street, being further described as Assessor's Plat 100, Lot 55. Petitioner has received a building permit to build a medical building, which project will substantially improve the area.

2. Cross Street also fronts properties southwest of Petitioner's lot, which properties are described as Assessor's Plat 100, Lot 43 and Assessor's Plat 100, Lot 37. Such properties are owned by Exsil, Inc. and Narragansett Electric Company, respectively.

3. West River Street runs south of and along Cross Street, and the two streets are separated only by curbing; Cross Street provides access only to the Lots identified above. In that West River Street runs along the southeasterly line of Cross Street, under typical abandonment circumstances, the City would attain rights to that half of the abandoned street. However, Petitioner requests that the City waive its right to that half of Cross Street (by conveyance or appropriate other means), so that Petitioner and the other abutting owners to Cross Street continue to have frontage as required by zoning law.

IN CITY COUNCIL  
MAY 5 2005  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
Michael R. Clement  
CLERK

From The Clerk's Desk

THE COMMITTEE ON  
Public Works  
Recommends  
Ann M. Steh  
CLERK  
8-16-05 Schedule  
P. Hrg

THE COMMITTEE ON  
Public Works  
Public Hearing Held  
Claire B. Berman  
CLERK  
9/14/05 - P. Hrg  
9-20-05 - Con 7

4. This Petition meets all of the criteria and guidelines for approval of abandonment as described below:

(a) ***A public interest is clearly demonstrated by this request.*** Cross Street is presently a significant nuisance, as it is not appropriately maintained, there exists graffiti on the concrete barrier along Charles Street, and portions are used for dumping trash including used tires. Additionally, West River Street will provide convenient access to each of the affected lots, whether directly or by easement. Finally, the development of the medical building and surrounding area will substantially improve the area and improve the general welfare of the community.

(b) ***There will be no negative impact on existing land use, future plans, zoning safety, health or welfare of the community by the proposed abandonment.*** In fact, the abandonment will improve the existing land use, provide a safer environment to the surrounding area and will be a positive to the welfare of the community as described above.

(c) ***All abutting land owners agree to the proposed abandonment.***  
We have attached letters from the owners of the affected lots to this Petition.

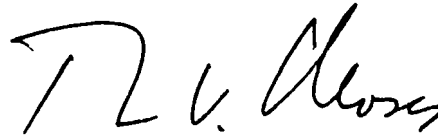
(d) ***No physical or legal access will be denied to any land or property in surrounding areas by the proposed abandonment.*** Easements will be provided to land owners fronting Cross Street.

(e) ***No existing or future public services or facilities need to be protected, provided, or maintained within the right-of-way. An easement retention may be necessary to provide access to, maintain, or provide existing or future service or utility needs.*** Petitioner will grant a permanent easement to its neighboring property owners.

(f) *The proposed or intended use of the street and/or adjacent properties must be shown on a petition or plan, and such use shall be in conformance with existing zoning and Comprehensive Plan Objectives.* See attached plan.

For all of the above reasons, Petitioner respectfully requests that the Honorable City Council abandon the street known as Cross Street and waive its right to that half of Cross Street it would be entitled to, with the conditions of easements as noted on the attached plan.

**Endoscopy Associates, LLC**  
**By its attorneys,**  
**Moses Afonso Jackvony, Ltd.**



---

**Thomas V. Moses (#2763)**  
**Kelley Nickson Morris (#6025)**  
**170 Westminster Street, Suite 201**  
**Providence, RI 02903**  
**(401) 453-3600**  
**(401) 453-3604 facsimile**

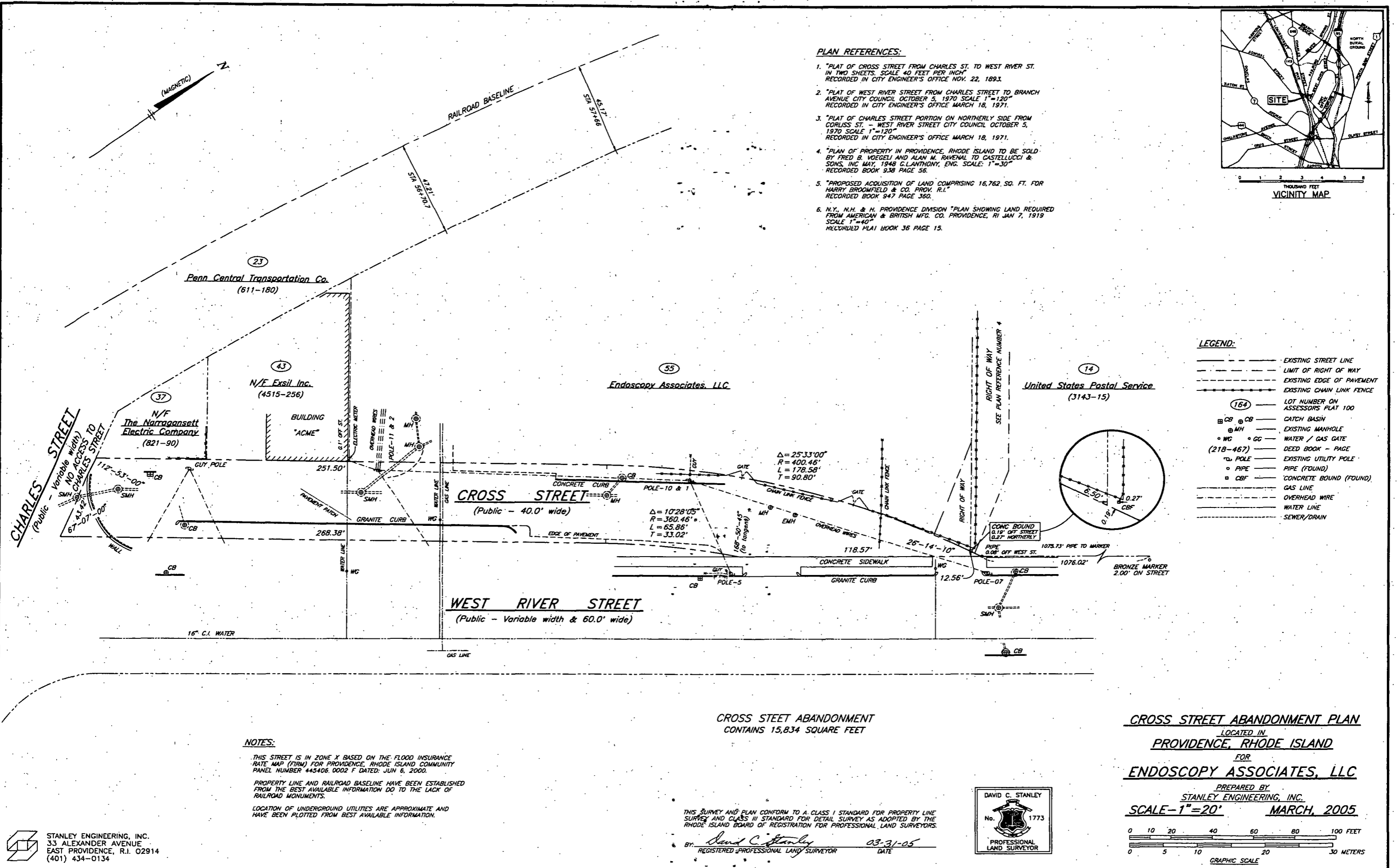
April 14, 2005

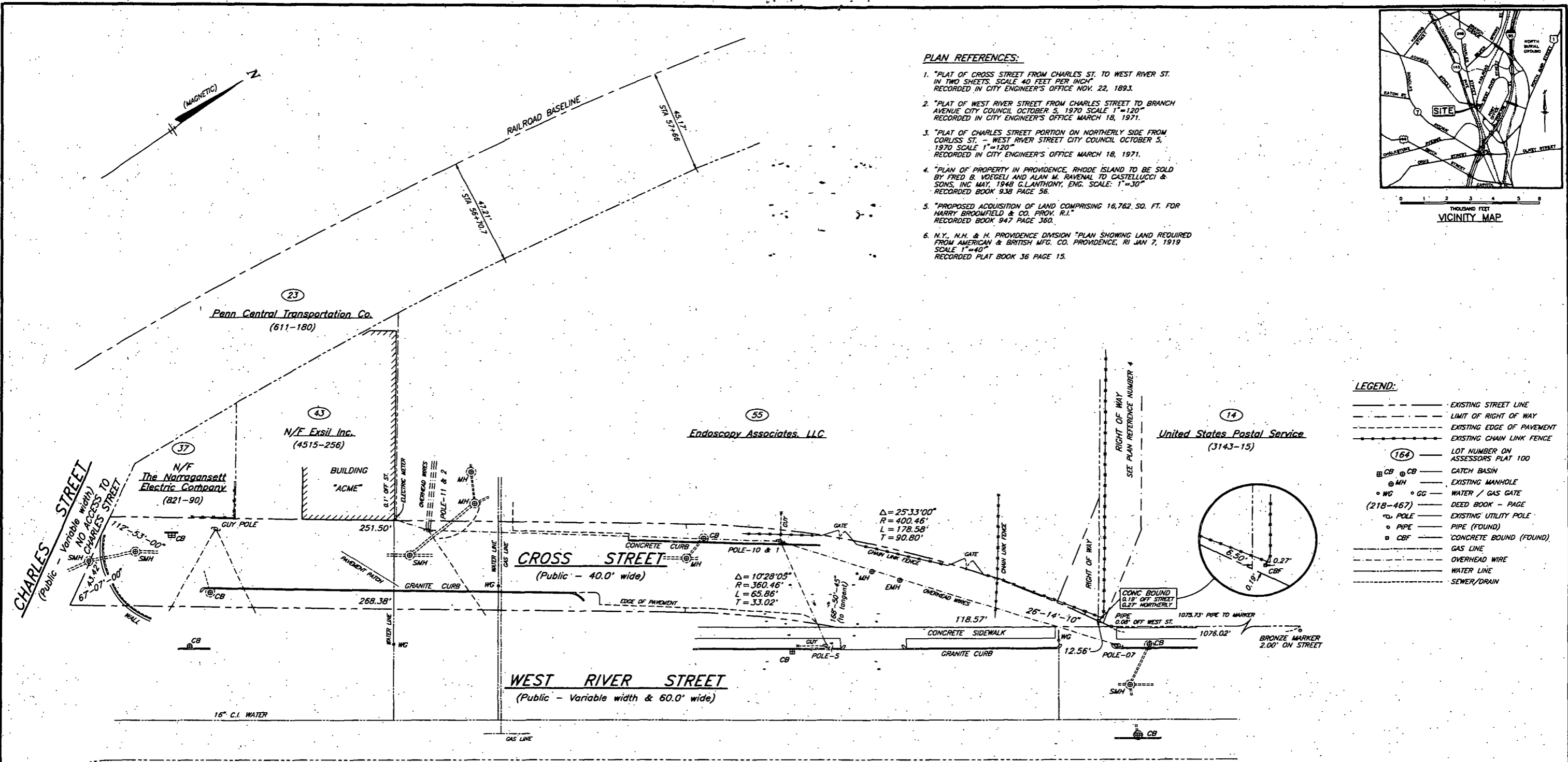
**Petition to abandon Cross Street**  
**Endoscopy Associates, LLC**  
**Bank of Rhode Island**  
**Check # 15842**  
**\$75.00**

DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

2005 APR 14 P 2: 52

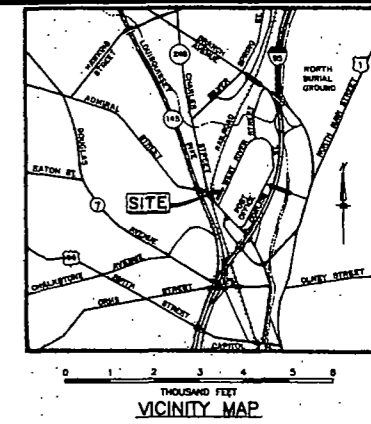
**FILED**





**PLAN REFERENCES:**

1. "PLAT OF CROSS STREET FROM CHARLES ST. TO WEST RIVER ST. IN TWO SHEETS, SCALE 40 FEET PER INCH" RECORDED IN CITY ENGINEER'S OFFICE NOV. 22, 1893.
2. "PLAT OF WEST RIVER STREET FROM CHARLES STREET TO BRANCH AVENUE CITY COUNCIL OCTOBER 5, 1970 SCALE 1"=120" RECORDED IN CITY ENGINEER'S OFFICE MARCH 18, 1971.
3. "PLAT OF CHARLES STREET PORTION ON NORTHERLY SIDE FROM CORLISS ST. - WEST RIVER STREET CITY COUNCIL OCTOBER 5, 1970 SCALE 1"=120" RECORDED IN CITY ENGINEER'S OFFICE MARCH 18, 1971.
4. "PLAT OF PROPERTY IN PROVIDENCE, RHODE ISLAND TO BE SOLD BY FRED B. VOEGELI AND ALAN M. RAVENAL TO CASTELLUCCI & SONS, INC MAY, 1948 G.L. ANTHONY, ENG. SCALE: 1"=30" RECORDED BOOK 938 PAGE 56.
5. "PROPOSED ACQUISITION OF LAND COMPRISING 16,762 SQ. FT. FOR HARRY BROOMFIELD & CO. PROV. R.I." RECORDED BOOK 947 PAGE 360.
6. N.Y., N.H. & H. PROVIDENCE DIVISION "PLAN SHOWING LAND REQUIRED FROM AMERICAN & BRITISH MFG. CO. PROVIDENCE, RI JAN 7, 1919 SCALE 1"=40" RECORDED PLAT BOOK 36 PAGE 15.



**LEGEND:**

- EXISTING STREET LINE
- LIMIT OF RIGHT OF WAY
- EXISTING EDGE OF PAVEMENT
- EXISTING CHAIN LINK FENCE
- LOT NUMBER ON ASSESSORS PLAT 100
- CATCH BASIN
- EXISTING MANHOLE
- WATER / GAS GATE
- DEED BOOK - PAGE
- EXISTING UTILITY POLE
- PIPE (FOUND)
- CONCRETE BOUND (FOUND)
- GAS LINE
- OVERHEAD WIRE
- WATER LINE
- SEWER/RAIN

**NOTES:**

THIS STREET IS IN ZONE X BASED ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR PROVIDENCE, RHODE ISLAND COMMUNITY PANEL NUMBER 445406, 0002 F DATED: JUN 6, 2000.

PROPERTY LINE AND RAILROAD BASELINE HAVE BEEN ESTABLISHED FROM THE BEST AVAILABLE INFORMATION DO TO THE LACK OF RAILROAD MONUMENTS.

LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE AND HAVE BEEN PLOTTED FROM BEST AVAILABLE INFORMATION.

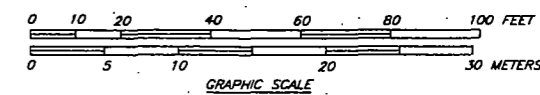
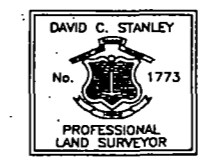
CROSS STREET ABANDONMENT  
CONTAINS 15,834 SQUARE FEET

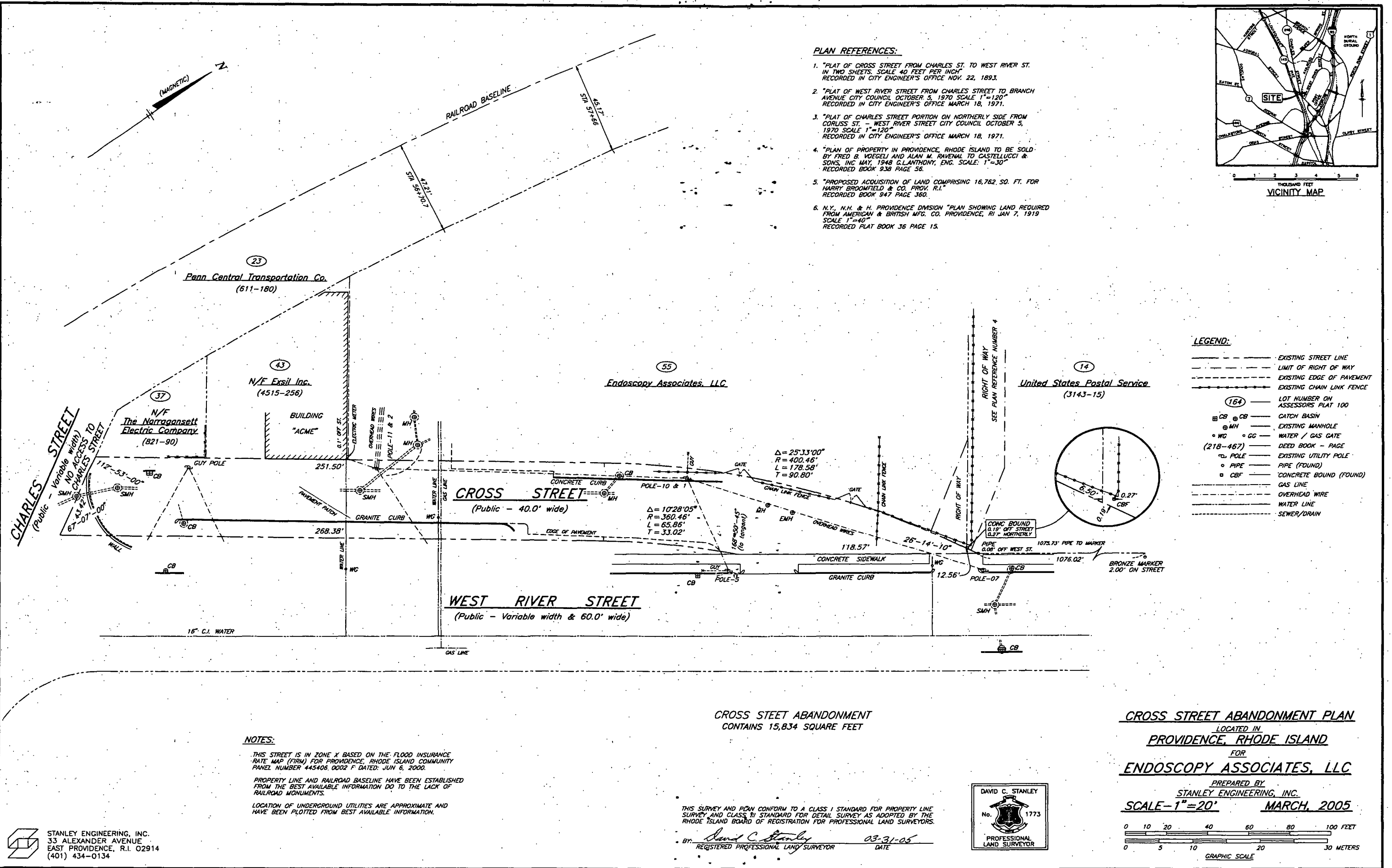
**CROSS STREET ABANDONMENT PLAN**  
LOCATED IN  
**PROVIDENCE, RHODE ISLAND**  
FOR  
**ENDOSCOPY ASSOCIATES, LLC**  
PREPARED BY  
**STANLEY ENGINEERING, INC.**  
SCALE-1"=20' **MARCH, 2005**

STANLEY ENGINEERING, INC.  
33 ALEXANDER AVENUE  
EAST PROVIDENCE, R.I. 02914  
(401) 434-0134

THIS SURVEY AND PLAN CONFORM TO A CLASS 1 STANDARD FOR PROPERTY LINE SURVEY AND CLASS III STANDARD FOR DETAIL SURVEY AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS.

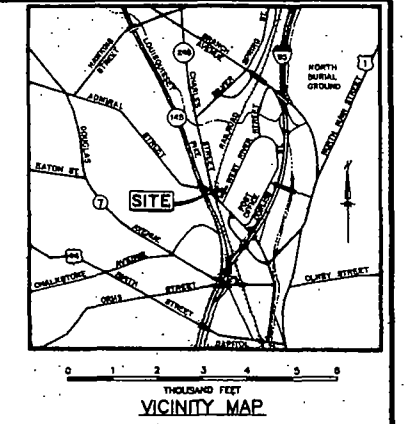
BY: *David C. Stanley* 03-31-05  
REGISTERED PROFESSIONAL LAND SURVEYOR DATE





# PLAN REFERENCES:

1. "PLAT OF CROSS STREET FROM CHARLES ST. TO WEST RIVER ST. IN TWO SHEETS. SCALE 40 FEET PER INCH" RECORDED IN CITY ENGINEER'S OFFICE NOV. 22, 1893.
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## LEGEND:

- EXISTING STREET LINE
- LIMIT OF RIGHT OF WAY
- EXISTING EDGE OF PAVEMENT
- EXISTING CHAIN LINK FENCE
- LOT NUMBER ON ASSESSORS' PLAT 100
- CATCH BASIN
- EXISTING MANHOLE
- WATER / GAS GATE
- DEED BOOK - PAGE
- EXISTING UTILITY POLE
- PIPE (FOUND)
- CONCRETE BOUND (FOUND)
- GAS LINE
- OVERHEAD WIRE
- SEWER/RAIN

## NOTES:

- THIS STREET IS IN ZONE X BASED ON THE FLOOD INSURANCE RATE MAP (FIRM) FOR PROVIDENCE, RHODE ISLAND COMMUNITY PANEL NUMBER 445406, 0002 F DATED: JUN 6, 2000.
- PROPERTY LINE AND RAILROAD BASELINE HAVE BEEN ESTABLISHED FROM THE BEST AVAILABLE INFORMATION DO TO THE LACK OF RAILROAD MONUMENTS.
- LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE AND HAVE BEEN PLOTTED FROM BEST AVAILABLE INFORMATION.

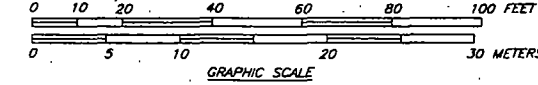
CROSS STREET ABANDONMENT  
CONTAINS 15,834 SQUARE FEET

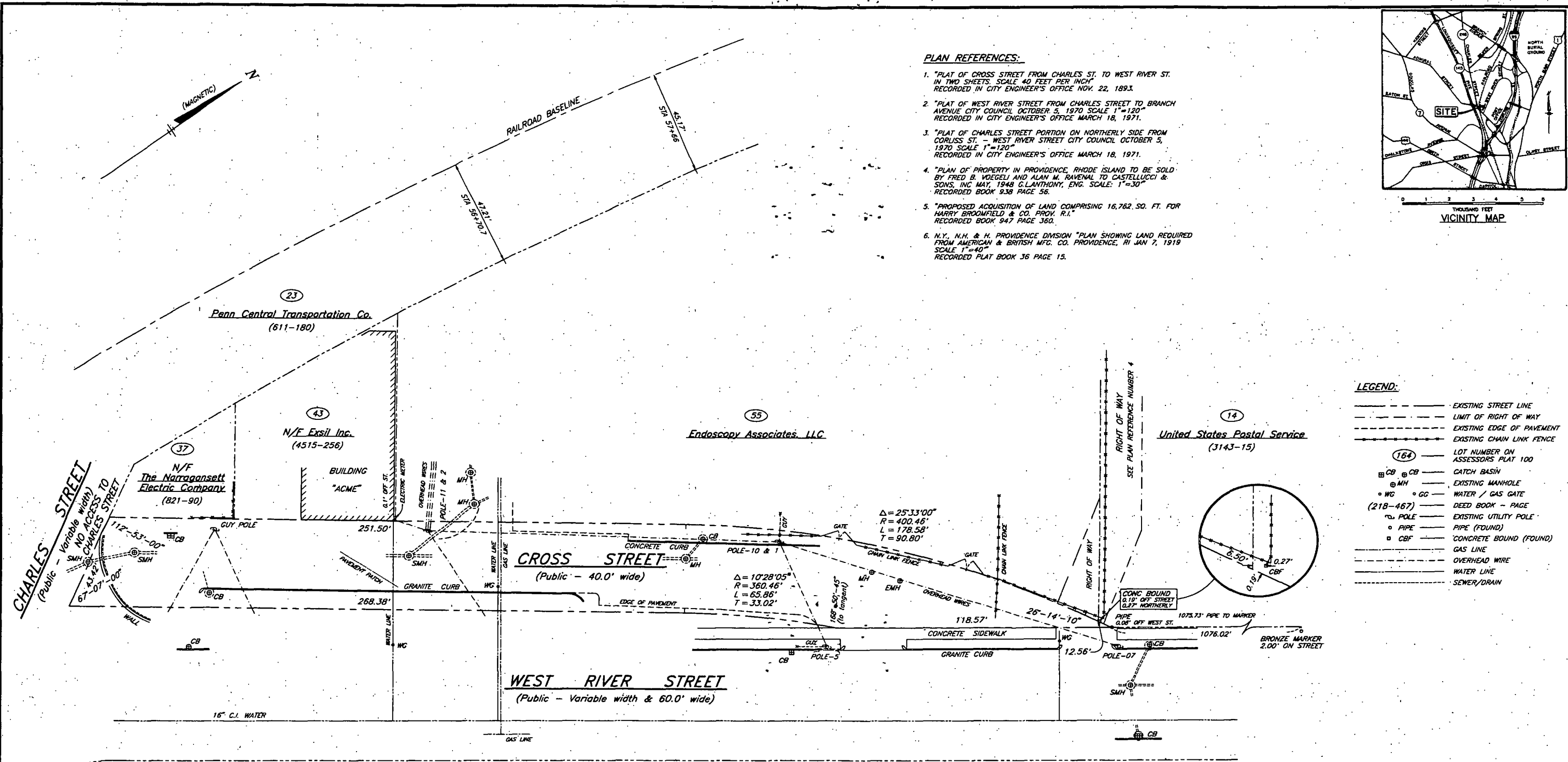
## CROSS STREET ABANDONMENT PLAN LOCATED IN PROVIDENCE, RHODE ISLAND FOR ENDOSCOPY ASSOCIATES, LLC

PREPARED BY  
STANLEY ENGINEERING, INC.  
SCALE-1"=20' MARCH, 2005

STANLEY ENGINEERING, INC.  
33 ALEXANDER AVENUE  
EAST PROVIDENCE, R.I. 02914  
(401) 434-0134

THIS SURVEY AND PLAN CONFORM TO A CLASS I STANDARD FOR PROPERTY LINE SURVEY AND CLASS II STANDARD FOR DETAIL SURVEY AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS.  
BY: David C. Stanley 03-31-05  
REGISTERED PROFESSIONAL LAND SURVEYOR DATE





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## NOTES:

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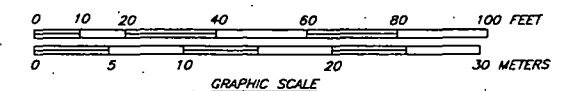
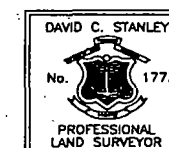
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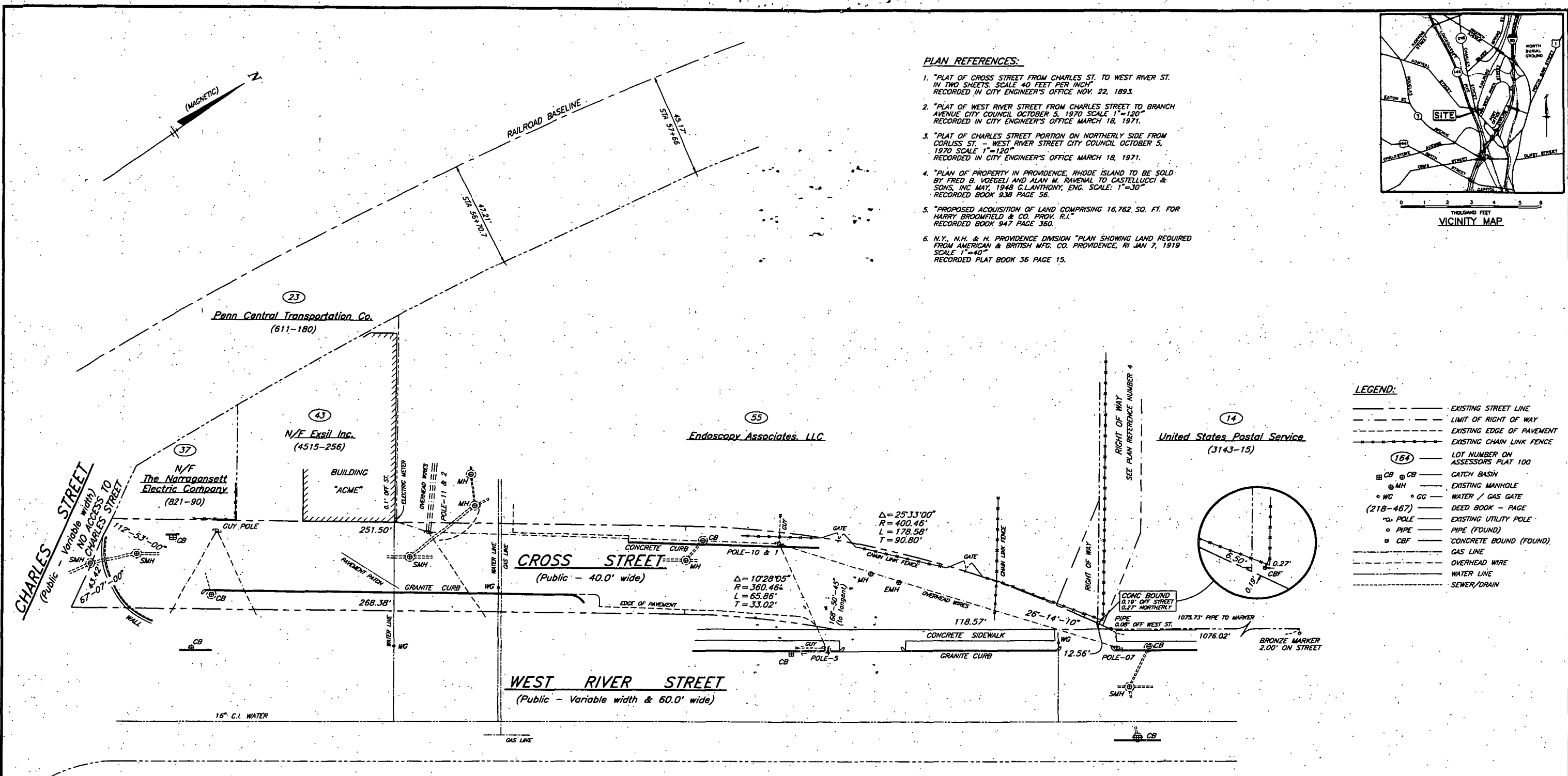
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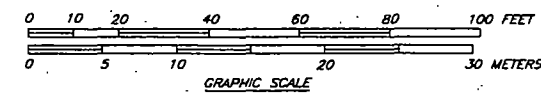
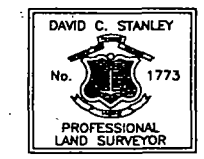
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LOCATED IN  
**PROVIDENCE, RHODE ISLAND**  
FOR  
**ENDOSCOPY ASSOCIATES, LLC**

PREPARED BY  
**STANLEY ENGINEERING, INC.**  
**SCALE-1"=20'** **MARCH, 2005**

STANLEY ENGINEERING, INC.  
33 ALEXANDER AVENUE  
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BY: *David C. Stanley* 03-31-05  
REGISTERED PROFESSIONAL LAND SURVEYOR DATE



City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: Dean Esserman, Chief of Police

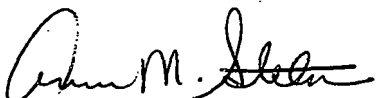
SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back to this office as soon as practical.

**PETITION FROM THOMAS C. MOSES, KELLEY, NICKSON, MORRIS, 170 WESTMINSTER STREET, SUITE 201, PROVIDENCE, RHODE ISLAND 02903, REQUESTING TO ABANDON CROSS STREET.**

  
Second Deputy, City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: George Farrell, Fire Marshal

SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: John Nickelson, Director of Public Works

SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: Syl Pauley, Water Supply Board


SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: Alix Ogden, Superintendent of Parks

SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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City Clerk  
SECOND DEPUTY

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: Bernard Lebby, Traffic Engineer


SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: John Gelati, City Assessor

SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: Christopher Ise, City Plan Commission

SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: Mindy Montecalvo, Narragansett Electric Company

SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: Mary C. Hanley, Verizon Communications

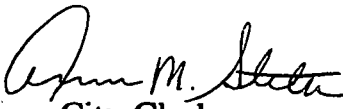
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City Clerk

SECOND DEPUTY

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: Barry J. Foster, New England Gas Company

SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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City Clerk

SECOND DEPUTY

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 11, 2005

TO: John Zuba, Narragansett Bay Commission

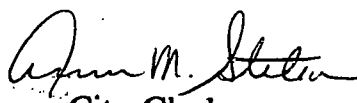
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SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 20, 2005

TO: Syl Pauley, Water Supply Board

SUBJECT: **COMMITTEE ON PUBLIC WORKS**

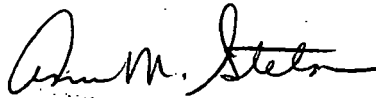
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KELLEY, NICKSON, MORRIS, 170  
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PROVIDENCE, RHODE ISLAND 02903,  
REQUESTING TO ABANDON CROSS  
STREET.**

  
SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 20, 2005

TO: Alix Ogden, Superintendent of Parks

SUBJECT: **COMMITTEE ON PUBLIC WORKS**


CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 20, 2005

TO: Bernard Lebby, Traffic Engineer

SUBJECT: **COMMITTEE ON PUBLIC WORKS**


CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 20, 2005

TO: John Gelati, City Assessor

SUBJECT: **COMMITTEE ON PUBLIC WORKS**


CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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SECOND DEPUTY City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: September 13, 2005

TO: Syl Pauley, Water Supply Board

SUBJECT: COMMITTEE ON PUBLIC WORKS

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying petitions for study, report and recommendation.

Please report back to this office as soon as possible in order that the committee can meet in a timely fashion relative to these matters.

**THIRD NOTICE**

Petition from Thomas E. Deller, Executive Director, Department of Planning & Development, requesting to abandon a portion of Fountain Street.

Petition from Thomas C. Moses, Kelley, Nickson, Morris, 170 Westminster Street, Suite 201, Providence, Rhode Island 02903, requesting to abandon Cross Street.

Petition from Moses Afonso Jackvony, Ltd., 170 Westminster Street, Suite 201, Providence, RI 02903 on behalf of Carpionato Properties, Inc. requesting to abandon a portion of Harris Avenue.

Petition from Patricia A. Forte, President, Westside Investments, Inc., 2380 Cranston Street, Cranston, RI 02920, requesting to abandon a paper street which abuts 23 Penelope Place.

PLEASE RESPOND ON OR BEFORE  
SEPTEMBER 19, 2005

A handwritten signature in dark ink, appearing to read "Anna M. Stetson".

City Clerk

**THE CITY OF PROVIDENCE**  
**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

# **RESOLUTION OF THE CITY COUNCIL**

**No. 551**

**Approved** November 23, 2005

**RESOLVED, DECREED AND ORDERED:**

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064772 dated June 20, 2005.

**VIZ:**

CROSS STREET, intersecting with Charles Street, and adjacent to West River Street, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-E-F-G-A), having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

(1) Petitioner shall pay the sum of Forty-five Thousand and Six Hundred Fifteen Dollars (\$45,615.00) in legal U.S. tender to the City of Providence.

(2) The petitioner shall convey a full sewer easement acceptable to City of Providence, Department of Public Works which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

(3) Petitioner shall grant an easement in favor of Narragansett Electric Company, permitting the retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the Petitioner that any such facilities need to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

(4) Petitioner shall grant an easement in favor of Verizon, permitting the retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it

be determined by the Petitioner that any such facilities need to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

(5) Petitioner shall grant an easement in favor of New England Gas Company, permitting the installation and maintenance of its facilities as may be needed to provide service to any and all properties abutting Cross Street, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the Petitioner that any such facilities need to be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

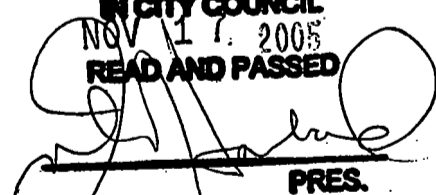
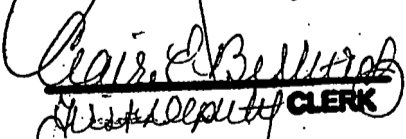
(6) Petitioner shall comply with all conditions contained herein, including recording this Resolution, not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.


(7) Such other conditions as the Mayor or the Law Department shall see fit to impose.

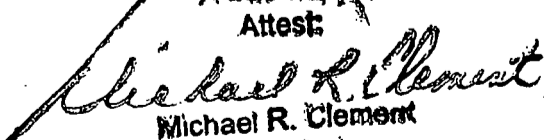
And it is further

ORDERED, That the Traffic Engineer be and is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

**IN CITY COUNCIL**  
NOV 17 2005  
**READ AND PASSED**  
  
**PRES.**  
  
**CLERK**

**APPROVED**  
  
**MAYOR**

**A true copy**  
**Attest:**  
  
**Michael R. Clement**  
**City Clerk**

JOHN D. NICKELSON, PE  
Director



DAVID N. CICILLINE  
Mayor

**Department of Public Works**  
*"Building Pride in Providence"*

July 6, 2005

Honorable Terrence N. Hassett  
Chairman of the Public Works Committee  
Providence City Council – City Hall  
Providence, RI 02903

**RE: Proposed Abandonment of a Portion of Cross Street**

Dear Councilman Hassett:

This department has no objection to the abandonment of a portion of Cross Street in conjunction with the attached plan, entitled "Prov., R.I.-P.W. Dept. – Engineering Office, Street Line Section, Plan No. 064772-Date: June 20, 2005. Area of Cross Street is designated as A-B-C-D-E-F-G-A, on the accompanying plan.

It is noted that there is a FULL SEWER EASEMENT required for Cross Street. Total area for this portion abandonment is 15,205 sq. ft. Lot numbers for aforementioned plan were taken from City of Providence Assessor's Plat#100. A list of abutting property owners is attached herewith for your approval.

According to Informational Bulletin 2003.01 issued by Rhode Island State Board of Registration for Professional Land Surveyor, road abandonment constitutes a boundary change, and, as such, requires a Class 1 survey prepared by a Professional Land Surveyor, properly licensed by said board.

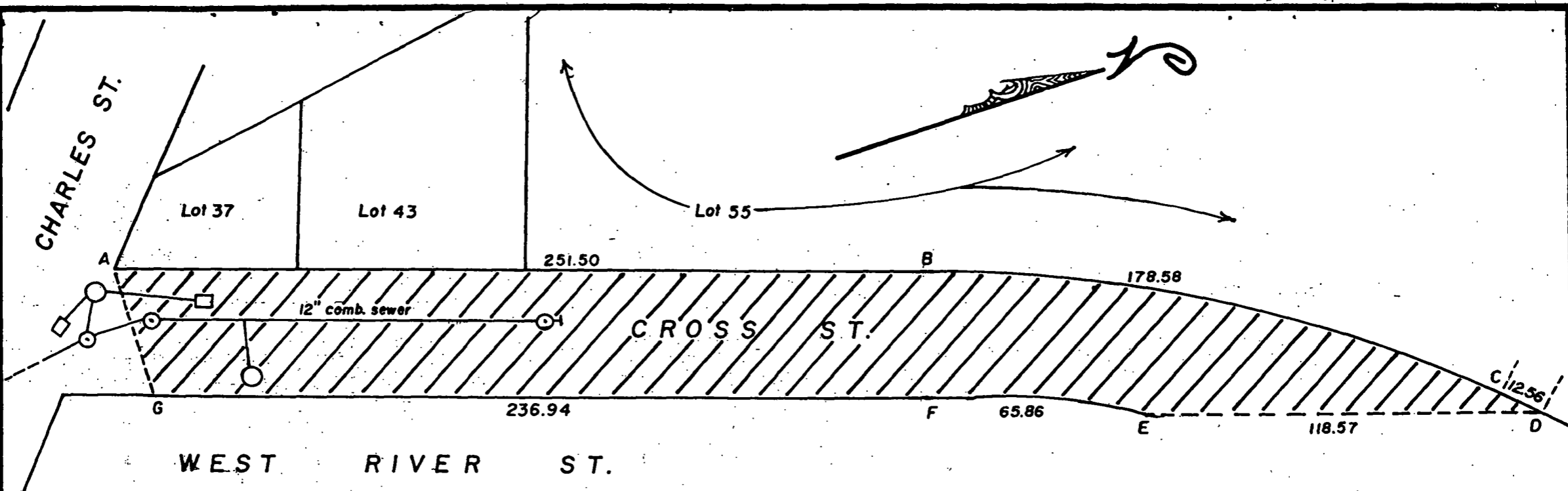
If we can further assist in this regard, please advise.

Very truly yours,

A handwritten signature in black ink, appearing to read "John D. Nickelson", is written over the typed name.

John D. Nickelson, PE  
Director

cc: M. Clement – City Clerk  
BB, GF, SZ-DPW  
A. Southgate, Esq. – Law Dept.  
T. Deller; W. Floriani - Planning



NOTES: Cross-hatched area (A-B-C-D-E-F-G-A) indicates proposed abandonment.  
 Full sewer easement required.  
 Total square footage = 15,205'

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed abandonment of a  
portion of Cross St.  
 Drawn by A. Zislaides Checked by \_\_\_\_\_  
 Scale 1" = 40' Date 6-20-2005  
 Corrected by Jeanne G. Mearns Associate Eng'r.  
 Approved William G. P... CHIEF ENGINEER

PROVIDENCE, R. I.  
 R. I. DEPT. OF ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064772  
 Date June 20, 2005

Lot numbers taken from A.P. 100



**DEPARTMENT OF CITY CLERK**  
CITY HALL, PROVIDENCE, R.I. 02903

MICHAEL R. CLEMENT, CITY CLERK

DEPT. OF CITY CLERK  
PROVIDENCE, R.I.  
2006 JAN 23 P 3:17

FILED



NOB Creek, LLC  
1 Randall Square  
Providence, RI 02904

RETURNED  
TO  
SENDER

NOT DELIVERABLE  
AS ADDRESSED,  
UNABLE TO FORWARD

02903/1787

02904-2708-99 0072